



# TEAMSTERS

## Northern California

Serving more than 70,000 Teamsters and their families

Volume 51, Number 5

December 2006/January 2007

## Working families shake up Washington and California

On November 7, working families voted and their participation made a huge difference—in California and across the nation.

Labor's endorsed candidates won seven of the nine statewide offices. In the two races that labor lost, Governor and Insurance Commissioner, polls show that the Republican candidates won not because they embraced a hard-right agenda, but because they tried as much as possible to hide the fact they were Republicans.

Arnold Schwarzenegger spent the last several months campaigning on issues that unions have championed for years—a minimum wage raise, prescription drug reform and education funding.

"Our job will be to keep Arnold focused on doing the right thing for working families and not return to his pre-election year, anti-union self," said President Chuck Mack.

Nationally, with the House and Senate now led by Democratic ma-

jorities, labor has an opportunity to gain positive action on issues such as universal health care, retirement security, the Employee Free Choice Act, fair trade agreements, safe highways and national security. With long-time friends such as Nancy Pelosi serving as the first female Speaker of the House, and Congressman George Miller appointed to lead the House Education and Workforce Committee, Teamsters will be heard again in Washington.

"The new Congress can and must reverse action on the Bush administration's misplaced priorities," Mack added.

Across the Bay Area, Teamsters were active in local races and most Labor-endorsed candidates won handily. Local 665 thanks Teamsters and their allies for their help in defeating Prop E, which would have displaced hundreds of Teamster jobs.



Locals 350 and 665 went barnstorming in a cable car across San Francisco to bring out the vote on Election Day. (Above) Local 350 Secretary-Treasurer Robert Morales and Local 665 Secretary-Treasurer Ernie Yates flank U.S. Senator Dianne Feinstein and are joined by members and officers of both Locals. At Right, U.S. Senator Barbara Boxer joins the festivities. San Franciscans overwhelmingly rejected Prop E which would have put many Teamsters in the parking industry out of jobs.



### Hoffa re-elected Teamsters General President

Armed with the power of democracy, Teamsters across the nation cast their ballots for their international officers, giving General President James Hoffa and General Secretary-Treasurer Thomas Keegel another five year term. With a month to complete mail-in ballots, members voted by a two-to-one margin for the Hoffa slate. The official tally was released on November 20.

"This was an overwhelming victory," says President Chuck Mack who was re-elected by acclamation as Western Region Vice President. "The election shows tremendous support for the Hoffa administration and those who ran with him. The strength of the victory gives Hoffa a mandate to expand on his successes and continue to fight on behalf of the members' best interests."

Mack added that Teamster elections are unique in the union movement. "We're one of only a few unions whose members have an opportunity to elect their national officers directly; that process gives the organization a dynamic that most others unions don't have. I only wish that more members participated because the process is very expensive."

"The members have spoken," Hoffa told hundreds of supporters at his victory party. "Together we will continue leading the fight for all working families. We are organizing the unorganized, fighting for strong health care, good wages and a secure retirement, and holding employers accountable to our members."

### Important Notice

To: Participants and Beneficiaries of the Teamsters Life With Dues Benefit Plan (Trust Fund)

Important information about your rights under the Plan, and under the Employee Retirement Income Security Act, is included in this newspaper. This information should be read by you and retained for future reference.

The officers and staff of  
Teamsters Joint Council 7  
and its affiliated locals  
wish you much happiness  
this holiday season  
and peace in the new year!

节日快乐 • Feliz Navidad • Joyeux Noël • Bonne Fête!





## UNION PEOPLE

### Farewell and thank you to Commercial Driver's Training Lead Instructor Gary Payton

After serving as Lead Instructor for Joint Council 7's Commercial Drivers Training Program for four years, Gary Payton is leaving to return to his previous job at ABF. The Joint Council's officers thank him for his service, as do the many students that improved their careers due to his hard work and dedication.

Gary first joined the Teamsters in 1975 in Southern California. When he moved to the Bay Area in 1989 he became a member of Local 70.

Besides training many Teamsters to become commercial drivers, Gary also made the school a resource for the Employment Development Department and various vocational rehabilitation programs.



Drivers Education Program Lead Instructor Gary Payton enjoyed working with voc rehab students most.

When asked about the most rewarding aspect of the job, Gary didn't hesitate: "Training Teamsters in a new skill and improving their job opportunities was great, but the vocational rehabilitation students made me feel the best. Many felt they would never get a chance to make good; now they have good jobs and a new attitude."

The three students pictured at the left graduated from



L to R: Pepsi Shop Steward Carlos Tiscareno, new graduates Eddie Johnson, Marlon Mejia, Chao Wright Balm, Business Agent Lou Marchetti, and new instructor Ron Hermanson.

Gary's last class. Business Agent Lou Marchetti was able to secure grant money from Alameda County's Job Training Program to convince Pepsi to utilize the JC7 program. "Pepsi does a good job training the merchandisers to drive, but you can't beat the JC7 Program," said Marchetti.

To date, seven merchandisers have completed the program with more to follow. Once they complete the class, they fill driving bids that pay \$3.00 an hour more and double their current

pension contribution rate. "Shop Steward Carlos Tiscareno has done an excellent job coordinating between the merchandisers and the school to keep the program running," said Marchetti.

Ron Hermanson will take over as the school's new Instructor. Ron is a longtime Local 70 member and is looking forward to his new job. The Joint Council is confident that Ron will maintain the program's tradition of success.

## APPLY NOW



**CONTACT**  
**YOUR LOCAL FOR AN APPLICATION**

### Free Hazardous Materials Training

New standards for transporting hazardous materials are coming into effect. To enable Teamsters to comply, we offer free training:

- ✓ 4-hour DOT (HAZMAT) Hazardous Materials Awareness course and refresher
- ✓ 40-hour (HAZWOPER) Hazardous Waste Materials course
- ✓ 8-hour (HAZWOPER) Hazardous Waste Materials refresher

To sign up, call Barbara at 415-344-0085.

### Success is a Journey...

### James R. Hoffa Memorial Scholarship

International Brotherhood of Teamsters  
2007-2008 Academic Year Scholarships

#### What is the deadline?

Deadline for Application March 31, 2007\*

#### Who should apply?

High School Seniors who are children or grandchildren of Teamster members

#### What are some of the basic requirements?

- Rank in the top 15% of high school class
- Have or expect to have excellent SAT or ACT scores
- Demonstrate financial need

#### How many scholarships will be awarded?

One hundred scholarships will be awarded: 31-\$10,000 awards, 69-\$1,000 awards. Applicants compete in one of five geographic regions where the Teamster parent's/grandparent's local union is located.

#### Where are the forms?

Complete information and forms are available for download online:

<http://www.teamster.org/resources/students/scholarship/scholarship.htm>

This website also contains information on other scholarship and student loan resources for union families. Members are encouraged to investigate all of the resources available on this website.

James R. Hoffa Memorial Scholarship forms will also be available on request at the Local's Business Office.

\* Because all completed forms must be submitted to and processed by your Teamster Local prior to their being forwarded to the IBT, it is suggested that forms be mailed to your Local by March 17.



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Debra Chaplan, Managing Editor







## YOUR LEGAL RIGHTS

### State can't fund anti-union campaigns

In October, the Ninth Circuit Court of Appeals issued an opinion that will make it harder for California employers to oppose union organizing campaigns.

In *Chamber of Commerce v. Lockyer*, the Court held that a California law that bars employers from using state funding to assist, promote or deter union organizing is not preempted by the federal National Labor Relations Act and does not violate the First Amendment. In other words, the California law is not blocked by conflicting or superior federal law.

#### Law evens the scales

California enacted Assembly Bill No. 1889 in 2000 to ensure state neutrality in union organizing. By prohibiting an employer from using state money to finance an anti-union campaign, the law attempts to avoid "tipping the scales" in favor of employers.

AB 1889 forbids the employer from using any state funds to influence the decision of its employees regarding whether to support or oppose a labor organization or whether to become a member of any labor organization.

The law further requires that employers certify that no state funds will be used to assist, promote or deter union organizing. If an employer makes any such expenditures, they must maintain records which demonstrate compliance with the law. An employer who makes such expenditures and who commingles state funds and other monies is presumed to have used state funds to assist, promote or deter union organizing. Employers who vio-

late this law are subject to fines and penalties, which includes the return of state funds used for prohibited purposes and a stiff civil penalty.

#### Employers lose challenge

A group of employer organizations challenged the validity of the California law. They argued that the law impermissibly regulated employer speech about union organizing and conflicted with federal law.

The court held that although the law regulated employer speech in the context of union organizing, it did not interfere with the employers' First Amendment rights. The court emphasized that the law did not regulate the use of the employers' own funds, it merely prohibited the use of state funds. California employers are under no compulsion to seek state contracts or grants. If they voluntarily choose to do so, the state may attach a reasonable spending restriction that does not bar employer conduct and only limits the use of state funds from financing one side of a union organizing drive.

The *Chamber of Commerce v. Lockyer* decision is a major victory for California unions. Any private employer who receives state funding will have to segregate and account for such money, or take a position of neutrality in labor disputes. Employers that receive state funds will have to choose between complying with burdensome accounting and reporting requirements or remaining neutral in union organizing campaigns.



## NEWS FROM TAP

### TAP responds to rising rates of stress and anger in the workplace

Acts of workplace anger and aggression cost companies and organizations billions of dollars annually, while placing a tremendous toll on the emotional and physical health of employees and their families. In 2003, a Society for Human Resource Management (SHRM) study showed that more than half of U.S.-based companies have experienced some sort of workplace violence, with verbal threats being cited by 41% of respondents as the most common form.

Employers who ignore warning signs that lead to a violent incident, can be held legally liable. However, many employers and managers fear litigation and do not intervene when anger surfaces in the workplace. The average cost for a lawsuit is \$700,000, therefore, it is clearly in a company's best interest to deal with hostile employees before they become aggressive or violent.

Anger management saves companies money. Studies show that anger management programs also account for an increase in morale, an increase in workplace performance, a reduction of sick-day usage, and a dramatic decrease in workplace conflicts.

#### TAP classes help members cope more effectively

Over the last 10 years, TAP has seen a steady increase in the number of supervisor and business agent referrals for anger and stress problems. Each year we help more and more Teamsters who, following an incident in the workplace, must complete anger management in order to keep their jobs.

More and more, a "problem employee" is not simply referred to the Employee Assistance Program (EAP); he or she is now mandated to comply with the EAP recommendation before the company will allow them to return to the job. Since anger is not, by itself, a diagnosable mental disorder, health plans typically don't cover anger management treatment. Some plans do, such as Kaiser, but anger management classes are sometimes offered only every three months.

TAP recognized the importance of stress management and has been conducting on-site training since 1998. Such trainings are part of the services TAP provides at no cost to employers through participating Teamsters health and welfare plans.

Recognizing that employees may be reluctant to attend any program that might imply mental or emotional disturbance, TAP classes are designed to teach skills in managing stress and anger, improving communication, and increasing empathy.

Stress and Anger Management Classes are quickly becoming one of the most recognized methods for effectively helping individuals learn to manage and control anger, stress, hostility and aggression, as well as increase awareness in skills that can produce more positive outcomes. Anger is a normal human emotion; however, if it is not expressed appropriately it can have devastating and lasting effects on any relationship.

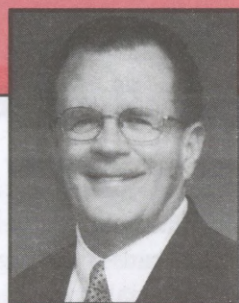
Anger and stress management classes teach participants how to:

- Recognize and appropriately respond to normal angry feelings;
- Improve judgment and impulse control as well as manage stress and anger more effectively;
- Experience less conflict with managers, co-workers, family members, parents & teachers;
- Increase capacity to create positive outcomes in relationships;
- Improve ability to communicate with others in a way that clearly states feelings, moods and needs;
- Learn effective stress management techniques to stay calm and reduce anger-aggression;
- Develop the capacity to influence others by one's own behavior;
- Enhance skills in empathy and emotional awareness to make more positive connections with others;
- Decrease absenteeism, increase teamwork and productivity, reduce liability for self and employers;
- Gain skills in forgiveness as well as how to more accurately manage expectations.

Through our outreach and training programs, TAP tries to assist Teamsters and their families before anger, stress, or substance abuse problems arise with managers, co-workers, family, the police or child protective services.

We are willing to go to any workplace or Union meeting at any time to inform Teamsters who are insured through participating Health and Welfare Trust Funds about our services and how to confidentially access them. Call us at 510-562-3600 or 800-253-8326.





## President's Report

by  
**Chuck Mack**

### Who would have thought?

It was a "who would have thought" election. First, who would have thought Arnold Schwarzenegger would overwhelmingly be reelected Governor?

Just a year ago Californians handed him his head when they dumped several anti-labor propositions he placed on the ballot in a special election. His approval rating fell like a rock; his demise all but assured. In one of California's most remarkable political comebacks, Schwarzenegger not only won, he wiped out Phil Angelides.

He'll begin his term of office with a bipartisan appearance and his popularity restored. Working people, even those who voted for him, have to feel uneasy. Who is this guy? What does he really stand for? Who does he listen to and what will he do? Time will tell. Our position: hope for the best — prepare for the worst.

"Who would have thought?" — Democrats take control in the House of Representatives. January's fantasy became November's reality. They needed to win 15 seats; they won 28. Democrats have a solid majority.

That's good news for workers. It means the anti-union pro-corporate agenda Republicans were pushing has been derailed. Privatization of Social Security is dead and the attempt to shift health care and pension costs from the corporation to the individual, while not dead, has taken a near fatal hit. Look for Democrats to push a minimum wage increase and get something going on health care. It will be great to go from being reactive to being proactive.

"Who would have thought" three — Democrats take over the Senate. What many believed impossible has happened. It will be a different Washington, D.C. come January. Hey, it will be a different country come January.

For Teamsters who live in California, the change in power is a plus. Many California Democratic House members will have important committee assignments because of their seniority. They

will be able to influence, even direct, policy on work related matters that affect our members and their families. George Miller, Pete Stark, Tom Lantos, Barbara Lee, Sam Farr and Zoe Lofgren will chair full committees or important sub-committees. On the Senate side, Dianne Feinstein and Barbara Boxer are also expected to chair committees and play major roles in Senate policy development.

We know the players; we've worked with them and supported them for a long time. It gives us an

unprecedented opportunity to provide member input in national decision making.

One more thing—committee hearings. The majority party has the right to schedule all congressional committee hearings. We saw how important that is in the Safeway dispute 15 years ago. The company was closing its Fremont and Richmond warehouses and moving the work to Tracy.

They refused to take the contract and the Teamster members who, in some cases, had been company employees for a lifetime. Tom Lantos called a hearing in San Francisco that focused congressional and public attention on the company's outrageous plan to abandon its workers. The hearing was a major reason the company changed their position and allowed Teamster members to move with their jobs, and it's a major reason why we represent 1,300 people at the Tracy Distribution Center today.

Finally, "who would have thought" Nancy Pelosi would be elected Speaker of the House of Representatives or moreover who would have thought any woman could be elected Speaker. Her election is deserved. She worked long and hard to build a majority. She's visionary, tough, smart, articulate and compassionate—all qualities a great Speaker needs. Her election is historic—it advances not just the cause of women, but of all Americans.

And "who would have thought" Northern California Teamsters would be able to call the Speaker of the House of Representatives "friend."

*With Democrats taking charge of the House and Senate, we have "unprecedented opportunity to provide member input in national decision making."*

### Pension accrual rate increased for 2007

The Western Conference of Teamsters Pension Trustees are pleased to announce that they will increase the accrual rate from 1.2% (where it's been for three years) up to 1.65% for the year 2007.

"We know that our members watch this rate closely," says Chuck Mack, who serves as a trustee along with Local 853 Secretary-Treasurer Rome Aloise. "The rate has been as high as 3.5%, but due to the economic downturn, we were forced to cut it to 1.2% to stay fiscally prudent."

On the positive side, Mack continued, "we

haven't had to make any benefit cuts. Our plan is very healthy, when measured by any standard. From an actuarial standpoint, it's close to being fully-funded, which helps ensure that all members will receive full benefits through their retirement years.

The trustees were able to increase the rate based on good investment experience over the past few years. By late 2007, they will assess whether they can maintain or even increase the accrual rate in 2008.

See the article on page six for more information about the state of the pension plan.



### Local 890's new Executive Board



Local 890's new Executive Board: (L to R) Trustee Eleanor Pineda, President Roberto Sanchez, Secretary-Treasurer Tony Gonzalez, Recording Secretary President Crescencio Diaz, Trustee Ramiro Navarro.

### Local 315

#### Change at the top

On August 31, 32-year Teamster member Steve Gutierrez retired as President of Local 315, a position he held for eight years. Jim Sveum was unanimously appointed by the Local's Executive Board to fill the mid-term vacancy as President of Local 315.

"Steve was a great president and an excellent organizer—and now he'll have time to enjoy his Teamster pension. I look forward to working with Jim," said Secretary-Treasurer Dale Robbins. "He's got great energy and enthusiasm."

### Local 287

#### Justice for Teamster operator at Sentinel Transport

Local 287 won an arbitration in November that may be the largest back pay payout the Local has won for any member. "We're still computing the final numbers," said Business Agent Bob Blanchet, "but we know this will be a sizable settlement."

On November 10, 2005, Transport Operator Joe O'Brien was driving the company truck for delivery in Monterey when the vehicle's trailer struck a guardrail which destroyed the tire and resulted in \$27,000 in repairs to the trailer. The truck and trailer were fully loaded with gasoline.

The company discharged O'Brien for various reasons including violation of safe work practices and causing a major preventable vehicle collision.

Blanchet protested the company's position claiming that they failed to meet the burden of proof under just cause. "The company

bears the burden

"Although its cause the November there is a lack showing that the out such conviction cannot be found."

After careful Paul D. Staudt O'Brien must be position with restoration and benefits with legal rate.

Sentinel Transport organized by Local 287 has been under contract has been a tank sentinel employee since the company.

"This was a Local 287," Blanchet.

#### New officer

The members following officer serve a three year term 2007: Bill Hooten, Business Agent Bob Blanchet, President Recording Secretary Jerry Cordova, Secretary-Treasurer Sandoval. Bob Jerry Sweeney for the Local.

#### Park and

With a 74% drivers, cashier at Park and Fly on September 2



# IMPORTANT INFORMATION

## For Participants In The

# TEAMSTERS LIFE WITH DUES BENEFIT PLAN

*This Summary Plan Description contains important information about Rights under the Teamsters Life With Dues Benefit Plan and ERISA which should be read and retained for future reference.*

*If you have any questions, please contact the Plan Administrator:*

*Board of Trustees, Teamsters Life With Dues Benefit Plan Administration Office, 14675 Interurban Avenue South, Suite 107, Tukwila, WA 98168, (206) 441-3151*

## TEAMSTERS LIFE WITH DUES BENEFIT PLAN

### SUMMARY PLAN DESCRIPTION

**Plan Name:** Teamsters Life with Dues Benefit Plan

**Entity Maintaining the Plan:** Electing Local Unions affiliated with the International Brotherhood of Teamsters located in the geographic area within the historic jurisdiction of the Western Region of the International Brotherhood of Teamsters

**Names and Business Addresses of Trustees:**

Jon L. Rabine, Chairperson  
Board of Trustees  
14675 Interurban Avenue South, Suite 107  
Tukwila, Washington 98168

Rome A. Aloise, Secretary-Treasurer  
Teamsters Local Union No. 853  
2100 Merced Street, Suite B  
San Leandro, California 94577

Robert Lee, Secretary-Treasurer  
Teamsters Local Union No. 983  
518 East Center Street  
P.O. Box 1085  
Pocatello, Idaho 83204

**Plan Administrator:**

Board of Trustees of the Teamsters Life With Dues Benefit Plan  
14675 Interurban Avenue South, Suite 107  
Tukwila, Washington 98168  
Telephone: (206) 441-3151

The service of legal process may be made upon a Plan Trustee or the Plan Administrator.

**Type of Plan Administration:** Contract Administration

**Ending Date of Plan's Fiscal Year:** December 31

**Entity Maintaining Plan Funds:**

Teamsters Life With Dues Trust Fund

**Entity Maintaining Insurance:** LifeWise Assurance Company  
7001 220th Street Southwest  
Mountlake Terrace, WA 98043  
(206) 670-5608

**Type of Plan:**

Life and Accidental Death and Dismemberment Benefit Plan

**Employer I.D. Number of Sponsor:**

911691238; the Plan Number is 501.

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## INTRODUCTION

This Benefit Plan provides Life and Accidental Death and Dismemberment Benefits for Members in Good Standing of participating Local Unions and Life Benefits for the Spouse of a Member.

This booklet is a guide to the Benefit Plan. It explains:

- what benefits are available,
- how you become eligible for benefits,
- how contributions are made,
- when you can receive benefits,
- how to designate a beneficiary for benefits,
- how to apply for benefits,
- how benefits are paid, and
- the restrictions and administrative procedures which apply.

This booklet also explains the conditions which may result in a loss of eligibility for Benefits, and the conditions you must meet for reinstatement of your eligibility for Benefits.

You should read this booklet carefully so you will know what your Benefits are and what could affect these benefits. Many changes have been made since the last booklet was printed, and these changes may affect you.

This booklet is based on the Plan Document approved by the Board of Trustees. The complete and technical terms of the Plan are in the Plan Document and the Trust Agreement, which are legal documents. They govern how the Plan will operate. This booklet summarizes and simplifies the Plan Document provisions. If any conflict should arise between this booklet and the Plan Document, the Plan Document will govern.

If you have any questions about the information in this booklet or if you want to know how a specific Plan provision applies to you, write or call the Plan Administrator's office. You will find the address and phone number at the beginning of this booklet. The Administrator will be glad to answer your questions.

## ESPAÑOL

Si usted no entiende inglés, puede obtener información en español acerca de los beneficios y reglamentos del Plan. Comuníquese con la oficina y ellos le ayudarán: Teamsters Life With Dues Benefit Plan

14675 Interurban Avenue South, Suite 107  
Tukwila, Washington 98168  
Teléfono: (206) 441-3151

## I. ELIGIBILITY & PARTICIPATION

### How Do I Become Eligible to Participate in the Plan?

You are eligible to participate in the Plan if you are a Member of a Local Union that participates in the Plan and you are in Good Standing with your Local Union.

### When Do I Become Eligible to Participate in the Plan?

You will become eligible to participate in the Plan as soon as you become a Member of a Local Union that participates in the Plan. If you are a Member of a

Local Union that is not participating, you will enter the Plan as soon as the Local Union elects to participate in the Plan and begins making contributions.

### Are There Special Eligibility Rules for Seasonal Employees and Agricultural Workers?

Yes. Some Seasonal Employees and Agricultural Workers do not have to pay dues to their Local Union during seasonal lay-off periods. Instead, their Local Union may require them to make contributions. A Member must be current in the payment of these contributions during lay-off to be eligible for the Plan.

### Under What Circumstances Can I Lose My Eligibility for Benefits?

Your eligibility for Benefits under this Plan ends when one of these things happens:

- You fail to remain in Good Standing with your Local Union. To be in Good Standing you must meet the requirements of Membership as established in the Constitution of the International Brotherhood of Teamsters and the By-Laws of your Local Union including paying all assessments and fees uniformly required by your Local Union (this usually means initiation fees and dues) before the last business day of the prior month.
- If you are a Seasonal Employee or Agricultural Worker who is not required to pay union dues during a lay-off, when you fail to make a required contribution to your Local Union during a layoff to maintain membership.
- Your Local Union stops participating in this Plan.
- You become Totally Disabled, except that your eligibility can be extended for up to two years during the time you are disabled.
- This Plan is terminated.

### If I Lose My Eligibility for Benefits, Can I Become Eligible for Benefits Again?

Yes. If the Plan still exists, you can become eligible for Benefits again when you become a Member of a Local Union which is participating in the Plan, and you return to Good Standing with your Local Union. If you are a Seasonal Employee or Agricultural Worker, you become eligible for Benefits again when your Local Union is participating, and you either return to Good Standing, or if you are laid off, you bring your contributions current. Also, if you lose eligibility for Benefits, you may be able to buy an individual insurance policy from LifeWise Assurance Company to continue your Life Benefits. See Section III. Benefits for more information on this option.

### Am I Still Eligible to Participate in the Plan if I am Called to Active Military Duty?

Yes. If you were current in your dues when you were called to duty and if your period of military service is covered by the Federal Law known as the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended, then you will continue to be an eligible participant during the time of service and for a period of thirty days after your discharge. You must contact your Local Union or the Plan Administrator to submit the required documentation to extend your eligibility.

### Are There Special Rules if I Become Disabled?

Yes. A Member who is Totally Disabled will continue to be eligible for Benefits in the Plan for two years even if he or she pays no Local Union dues. This special

rule applies only if:

- the Total Disability begins while the person is eligible for Benefits, and
- proof of disability satisfactory to the Trustees is submitted to the Plan Administrator within 12 months after the disability begins. The Trustees also may ask for more evidence of continued disability from time to time while the Member is disabled.

### Can a Disabled Member's Eligibility Be Terminated?

Yes. Eligibility ends automatically as soon as one of these things happens (even if the two years is not up):

- satisfactory proof of Total Disability is not given to the Plan,
- the Total Disability ends,
- the Local Union stops participating in the Plan, or
- the Plan terminates.

### How Does My Spouse Become Eligible for Coverage?

Your Spouse becomes eligible for coverage when you meet your eligibility requirements.

### What Are the Rules to Determine if Someone is My Spouse?

To qualify as a Spouse, a person must be married to you through a marriage that is considered valid and legal in the State where the marriage took place.

### Under What Circumstances Can My Spouse Lose Eligibility for Benefits?

Your Spouse will lose eligibility either when you lose eligibility as described above or when the person is no longer your Spouse due to divorce or legal separation.

## II. CONTRIBUTIONS

### Who Contributes to the Plan?

Your Local Union contributes to the Plan.

### How Much Will Be Contributed?

Your Local Union selects how much to contribute. The required contribution amount depends on the Plan Type described in **Section III: Benefits** and **Section IV: Schedule of Benefits**. Your Local Union selects the Plan Type. A Schedule of Benefits paid under each Plan Type is in Section IV. Contact your Local Union or the Plan Administrator for a statement of the Plan Type selected for you.

### How Do I Sign Up for the Plan?

Once your Local Union decides to participate in the Plan, you are automatically covered by remaining a Member in Good Standing in your Local Union including paying your initiation fee and monthly dues.

### Does My Employer Contribute to the Plan?

No. Your Employer has nothing to do with this Plan.

### Am I Required to Contribute to the Plan?

No. Your Local Union contributes on your behalf.

### Can I Elect Not to Participate?

No. As long as you are a Member in Good Standing of your Local Union, with dues currently paid, and your Local Union elects to participate in the Plan, you will be a participant in the Plan.

### Can I Change the Plan Type or Contribution Amount?

No. Only your Local Union can change the Plan Type or contribution amount.

### How Are My Local Union's Contributions Invested?

The Trustees direct the investment of the funds, to pre-





# News from Local 70

70 Hegenberger Road, Oakland, CA 94621

December 2006/January 2007

Phone 510-569-9317

## Executive Board

Chuck Mack ..... *Secretary Treasurer*  
Joe Silva ..... *President*  
Milton Lewis ..... *Vice President*  
Rob Dias ..... *Recording Secretary*  
Larry Aiello ..... *Trustee*  
Tim Mosier ..... *Trustee*  
Emil Radloff ..... *Trustee*

## Business Agents

Bob Aiello ..... *Bob Bell*  
Dominic Chiovare ..... *Lawrence Dias*  
Martin Frates ..... *Lou Marchetti*

Luis Magallon ..... *Conductor*  
Jim Davis ..... *Warden*

## San Leandro USF Bestway workers sign Local 70 union cards

Close to 60 employees at the USF Bestway San Leandro terminal chose to become members of Teamsters Local 70 in August. An overwhelming 67% signed pledge cards requesting union representation.

The recent purchase of USF Bestway by Yellow Roadway Corporation (YRC) paved the way for a Teamster card check neutrality agreement with the company. Under this agreement, the company agrees not to harass or enter into any negative campaign against the union or the employees in the union's efforts to organize.

Having a card check neutrality agreement made the organizing process 100% easier because we didn't have to contend with harassment and negative campaigns from the company. Local 70 was able to organize the San Leandro workers in less than 30 days. Once a majority of workers signed authorization cards, the company recognized their wish to join a union.

We had a slow start because employees were apprehensive about what it meant to join a union. They

## Organizing Report by Bob Aiello

were concerned about Bestway's overall financial condition and whether the company might close. Locally, they were concerned that management might retaliate against those who were active in the union drive.

As organizers, our job was to reassure the employees that we would stand up on their behalf and do whatever is necessary to protect them and their jobs.

Initially, some employees were afraid to let it be known that they were having contact with the union. But once we put together the committee and started developing relationships, things started to roll. Then they hit the fast track.

We were under pressure regionally to get the cards signed, because Modesto and Sacramento were ready to go and we determined that we'd have greater bargaining strength if all three units went in together.

### Employer plays games, even with card check

Even with the card check neutrality agreement, the company terminated an employee to show their strength.

We were able to turn that situation around quickly however. We brought that person to the union hall, made him a union member and got him a job the next day. This showed the employees that the union would back them. I told the employees "if you are a part of the Teamster family, we leave no members behind." We were able to demonstrate that. Now this guy has a job, a pension and union benefits.

### Training the organizing committee

Six employees from all areas of the terminal—line haul drivers, dock workers and city drivers—worked very hard on the organizing committee, identifying people who were ready to sign union cards and getting

turnout for the meetings. We trained them in union organizing techniques to ensure that they represented us appropriately and legally. All in all, they did a great job.

The organizing drive was a joint effort by Chuck Mack, Bob Bell and me. We also got support from IBT Organizers Rob Nicewonger, Andy Budai and Jesse Casqueiro.

### Momentum for a contract

Our momentum continues to build because USF Bestway workers want more security for themselves and for their families. The issues they are most concerned about are eight-hour guarantees, vacation payouts, job security and a decent pension. USF Bestway workers know that Teamster contracts will make their lives better.

In addition to Modesto and Sacramento, employees in Phoenix and at two Southern California terminals recently signed union cards and more Arizona terminals are on the verge of going union. When that happens, we hope to begin negotiations for a Western Region master contract covering California, Arizona, Idaho, Utah and New Mexico.



*Local 70  
Officers and Staff  
wish all our  
members  
and their families  
a very happy  
holiday season!*

## Action Alert

### Help save delivery driver overtime pay

When Congress made a technical change in the Highway Act (SAFETEA-LU—the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users), they changed the definition of commercial motor vehicles to "vehicles engaged in interstate commerce that exceed 10,000 pounds." This may not seem like a big deal, but it is.

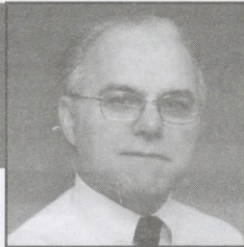
The new definition triggers an overtime exemption under the Fair Labor Standards Act, so that these drivers have no right to overtime pay and are not protected by hours-of-service regulations for larger vehicles.

Don't let the big delivery companies sneak this "technical correction" through as the lame-duck Republicans pack up and leave town. **Act now.**

Tell your representative and senators to oppose the "technical correction" denying overtime pay to drivers of vehicles weighing 10,000 pounds or less.

Send your letter through the web by going to: [www.teamsterstakeaction.org/campaign/overtime\\_for\\_drivers](http://www.teamsterstakeaction.org/campaign/overtime_for_drivers), or just write a letter to your congressperson at: Representative NAME, U.S. House of Representatives, Washington, D.C. 20515.





## President's Report

Joe Silva

### Election results look good for labor

#### National and state elections

The 2006 midterm election results bode well for labor interests. At the national level, Senator Dianne Feinstein won handily. She is a seasoned legislator who knows and champions the concerns of working people. Both Senators Feinstein and Boxer will exercise considerable clout in the Senate that now holds a Democrat majority.

At the state level, Phil Angelides was soundly defeated by Arnold Schwarzenegger. The California Legislature, however, continues to be dominated by Democrats. The Republican Governor and the Democratic Legislature were able to work together in the past, especially after Governor Schwarzenegger's ballot initiatives were soundly defeated in the prior election.

We are hopeful that the cooperation forged in the last two years will prompt bipartisan efforts to address the serious issues that confront California. The attention of both the governor and the legislature must focus on upgraded infrastructure, access to affordable health care and quality educational opportunities. We are guardedly optimistic.

#### ACI arbitration victory

On October 16, 2006, Arbitrator William E. Riker issued a precedent-setting decision in a difficult case that originated as a grievance between Teamsters Local 70 and Alameda County Industries. The ruling will provide for back pay and benefits for five drivers who had been placed on unpaid leave when the company could not secure insurance for them. Another 18-20 drivers had been on probation for the same issue.

In early 2005, AON Risk Services notified ACI that several drivers had been excluded from liability coverage due to their driving records. The company was unable to find alternate insurance companies that would insure drivers based on driving records. The company then placed the affected drivers on non-disciplinary unpaid leave of absence. This action led Local 70 to file a grievance and ultimately led to the arbitration.

The arbitrator acknowledged that the company was required to provide specified liability insurance under the franchise agreement and that all drivers must be insurable under the minimum requirements. Further, the company has the right to place an employee on unpaid leave of absence without incurring a contract violation for specific types of violations. However, he was not convinced that the company was justified in imposing a leave of absence based on insurability in regards to chargeable moving offenses with penalties imposed.

Arbitrator Riker ruled that the drivers should be reinstated and receive full back pay and benefits with no loss of seniority for the entire time they were on unpaid leave of absence, providing they were physically able to perform their regular duties during the intervening period.

We're pleased that the arbitrator upheld the union's case and supported the rights of the drivers.

The amount of the back pay award has not yet been determined, but we expect it to be quite sizeable.

#### Contract at Spicers Paper

On October 12, 2006 our members at Spicers Paper unanimously approved a new four-year contract. The current contract did not expire until December 31, but both parties agreed to early negotiations.

Business Agents Dominic Chiovare and Bob Aiello, and Shop Stewards Andrew Velez and Robert Pokorney represented Teamsters Local 70.

Wage increases total \$2/hour over the four year period. Health and welfare benefits were preserved and the company is obligated to pay the total premium in year one, with negotiated increases established in the contract to offset future health and welfare increases. Each year of the contract includes pension increases. Our members at Spicers Paper welcomed the early negotiations and the economic benefits that resulted.

#### Taxi Cab Association

In our ongoing efforts to represent Oakland taxi cab drivers, Business Agent Bob Aiello has developed a comprehensive plan that includes changing the laws that govern the taxi cab industry.

Sidestepping the difficult issue of taxi cab drivers characterized as owner-operators or employees, Aiello has adopted a legislative plan in coordination with the East Bay Taxi Drivers Association and their council to gain specific ordinance changes from the Oakland City Council. This may be the only way to achieve adequate compensation and long term security for taxi cab drivers.

#### Parcel industry update

Negotiations between the Teamsters and UPS continue with meetings scheduled for January 11-12, 2007, and more slated for the winter and spring.

Business Agent Marty Frates is serving as chairman of the UPS Labor Management Union committee and represents us in these negotiations. He has identified the most critical issues confronting our members as protection of health and welfare and pension benefits and job security.

At the same time, contract talks between the Teamsters and UPS Freight continue with the negotiations focusing on the Indianapolis drivers and dock workers who selected Teamsters Local 135 to represent them through the card check neutrality agreement. Teamsters are represented by Vice President and Director of Teamsters Parcel and Small Package Division Ken Hall.

These workers are seeking the same protections we provide for our members in many of our contracts: fair pay, good benefits, and adequate working conditions. We are optimistic that we can achieve our goals.

#### Christmas and New Years

On behalf of all of our Officers and Officials we wish you a Merry Christmas and a Happy New Year. Enjoy this special time with your family and friends.

*Political Action*  
by Lou Marchese

### Governor's race is the only defeat

## Teamster political action program

You have to give credit where credit is due. Governor Schwarzenegger transformed himself—again—into a moderate in 2006, just in time to win another four years in Sacramento. Let's hope he doesn't go back to the 2005 Arnold that attacked unions and working families with a vengeance. Too many issues affecting workers need to be addressed rather than wasting our time fighting anti-union legislation and propositions.

We have to keep a close eye on Schwarzenegger because as he has proven, we can't trust him. As our Legislative Representative, Barry Broad, warns; "Stay tuned. Arnold—The Sequel is about to begin."

Regardless of the results, the Teamsters did the right thing by backing Phil Angelides in the Governor's race. For years Phil has stood with us on all the issues. In politics, you can't always win but you have to support the candidates who support you.

#### Important national victories

Nationally, the Democratic Party scored a major victory by taking con-

trol of the House and Senate. January Congresswoman Nancy Pelosi of San Francisco will be the first woman Speaker of the House.

Not only do these changes give the Teamsters a voice in the process that we haven't had in years; we believe Pelosi is committed to returning the Democrats to their core principles: putting people ahead of corporate greed, responding to the issues that affect all. Health and welfare, wage, college tuition, family workers compensation regulation and many other issues will become the agenda instead of lobbyists and political spin.

Locally, Teamster-backed candidates fared extremely well. Local 70's ability to win solid waste jobs and have them addressed at the City and State levels. Our congratulations to first-time elected City Council members Diana Souza in San Francisco and Bill Harrison of Fremont. We also congratulate San Leandro mayor, Tony Santos. We look forward to working with the



**These guys really work at Coca-Cola**  
**they look forward to gaining representation**



These Coca Cola technicians voted for Local 70 representation in June.

In the last issue of the *Local 70 News*, this picture appeared on Page One under a Fed Ex campaign. Your editor is proud



## Action Report Marchetti

eat

### program has great success

use and Senate. In Jan-  
swoman Nancy Pelosi  
cisco will become the  
speaker of the House.

do these changes give  
a voice in the political  
we haven't had in six  
ieve Pelosi is commit-  
g the Democratic Party  
principles: putting jobs  
corporate greed and  
the issues that affect us  
nd welfare, minimum  
e tuition, fair taxation,  
ensation reform, ener-  
y other issues should  
agenda instead of corrupt  
political spin.

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s ability to protect our  
bs and have our issues  
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rison of Fremont. We  
late San Leandro's new  
Santos. We look for-  
ing with them all.

As you can see, except for the California Governor's race, the Teamsters Political Action Program was very successful. That success is a result of your participation and the hard work of our Worksite Political Coordinators.

Special thanks to Toney Castro of Roadway who recently filled the Coordinator position with dedication and energy; Ken Peluso of Horizon Lines for his help with the phone banks; John Cortesi who set the standard for worksite voter registration at Albertsons and continues to volunteer his time and knowledge; and best wishes to Archie McCabe, long-time Coordinator at Yellow Freight, who is retiring this December.

Hopefully we won't have another election for two years. But in the meantime, we will remain active on the political scene—backing legislation, attending City Council meetings and, with your help, continuing to build the Teamsters Political Action Program.

Best wishes to all of you and your families for a wonderful holiday season.



### at Coca Cola and ning their first contract



entation in July.

Fed Ex campaign head-  
tor is proud of the love-

ly placement she gave to the picture, however she must apologize to the group, because they actually work at Coca Cola!

And in fact, after a successful organizing drive in the early summer, these technicians voted to join Local 70 in July.

Business Agent Lou Marchetti conducted their first proposal meeting in August and he held his first negotiations with the company in October. Marchetti says that he's preparing for the second round of negotiations, which are slated for early December.

"We're hopeful that by the next issue of the paper, we'll be able to announce ratification of a first contract," Marchetti added.

## Secretary-Treasurer's Report

Chuck Mack



### Making California a great place to work & play

What a difference a year makes. Arnold Schwarzenegger, politically dead a year ago, beat Phil Angelides and was reelected Governor. That's good news for business but not for workers.

It will be interesting to see which Arnold Schwarzenegger shows up come January 1—the anti-union corporate shill of last year or the moderate Democrat of this year.

Voters could have done better. Phil Angelides is the best Governor California never had. He understands labor and unions. Workers would have had a voice in California decision-making had he been elected. While we don't like the outcome, we're willing to work with the Governor to make California a great place to live, a great place to work, and a great place to raise a family.

### Congress goes blue

California's gubernatorial disappointment was offset by Democrats gaining control of both branches of Congress. That is profound. It means workers won't have to watch their backs every minute of the day—still every hour, but at least not every minute. Democrats are no panacea for what ails unions but their victory will make all of our tasks a bit easier. Maybe, just maybe, we can move legislation that will help organize the unorganized.

The House and Senate takeover is particularly exciting for those of us in Northern California. Nancy Pelosi, George Miller, Tom Lantos, Pete Stark, Barbara Lee, Zoe Lofgren, Barbara Boxer and Dianne Feinstein will all play prominent roles in the next Congress. It's nice to have friends in high places.

### Teamsters national election

The Teamsters National Election count took place in mid-November, the end of a long campaign and a long voting period. The votes by members strongly validated the leadership and work of Jim Hoffa and his administration.

The politics are over. It's time to get back to the

business of our members. We have our hands full. There's much work ahead but also a tremendous opportunity to build Teamster power and advance the cause of workers and their families.

### Moving forward at year's end

Here's some good news. Local 70 organized 80 drivers and dockworkers at USF Bestway's San Leandro terminal. The company recognized the Local and negotiations will begin in mid-December. This is the third USF Bestway terminal organized in Northern California in the last six months; the other two, Modesto Local 386 and Sacramento Local 150. Locals 104 Phoenix and 63 Los Angeles have recently asked for recognition too.

More good news—the Western Conference of Teamsters Pension accrual (the amount a member earns in benefits) will increase from 1.2% to 1.65% for calendar year 2007. The increase is a result of positive investment income experience. Trustees will not make a decision beyond 2007 until next year.

And more good news—AB 2068, authored by Assembly Member Pedro Nava, was signed by Governor Schwarzenegger. As reported earlier, this means members can still designate their personal physician for industrial injury treatment rather than see a company doctor. The bill, while not everything we wanted, extends personal choice through December 2009.

And, even more good news—Taxi drivers in Oakland have started to affiliate with Local 70. All totaled, about 150 drivers are paying fees and being represented.

There is no place like home, wherever that is. In all likelihood we will try and extend the BART lease-back of our present property. Despite a Herculean effort, we still have not been able to find a suitable location to move. We will continue our efforts but this is bound to run past the first of the year.

On behalf of the Local Officers, Officials and Staff, I want to wish all of our members and their families a most joyous holiday season.





## Local 70 Website: [www.teamsterslocal70.org](http://www.teamsterslocal70.org)

What's new? Check out the newly updated Local 70 website at [www.teamsterslocal70.org](http://www.teamsterslocal70.org).

Members are encouraged to visit the site frequently for current announcements as new information is posted on a regular basis.

## Have you moved? Tell us your new address!

Don't miss out on important information distributed to members by mail. Provide Local 70 with your new address and telephone number. Because this is an election year, it is especially important.

Three ways to update your address:

▲ **By Phone:** Call Local 70 at 800-243-1350 or 510-569-9317

▲ **By Internet:** Submit form online at [www.teamsterslocal70.org](http://www.teamsterslocal70.org)

▲ **By Mail:** Send in a completed Status Change Form (obtain from your Shop Steward).

Your attention to this important detail will be greatly appreciated.

## TEAMSTERS LOCAL 70

### Telephone number and extension list

Main Phone: 510-569-9317 Fax: 510-569-1906

Hiring Hall: 510-569-1203

(Dial main number plus extension, or direct dial number listed)

#### Board Members

510-569-9384 \*66 Chuck Mack  
510-569-0593 \*71 Joe Silva  
510-569-7202 \*75 Rob Dias  
510-636-7937 \*65 Milton Lewis  
510-569-9325 \*25 Larry Aiello  
510-569-9325 \*25 Tim Mosier  
510-569-9325 \*25 Emil Radloff

#### Business Agents

510-569-3479 \*12 Bob Aiello  
510-635-6847 \*11 Robert Bell  
510-569-4665 \*13 Dominic Chiovare  
510-568-5494 \*14 Larry Dias  
510-638-2022 \*15 Marty Frates  
510-430-3548 \*16 Lou Marchetti

#### Office Staff

510-569-9320 \*62 Margaret de la O  
510-636-4789 \*61 Gabriela Dimas  
510-636-4782 \*67 Fahm Saechao  
510-569-9322 \*72 Regi Swayne  
510-636-4783 \*74 Martha Cardenas  
510-569-9324 \*73 Diane Todaro

#### Dispatcher-Custodian

510-569-1203 \*64 Bruce Kelley

#### East Bay Drayage Drivers Trust Health & Welfare (EBDD only)

510-636-0381 \*63 Shirley Fields

## Local Union 70, City of Oakland, CA International Brotherhood of Teamsters TRUSTEES REPORT

SEPTEMBER 2006

### INCOME

Membership Dues	\$209,597.44	Contributions	1,750.00
Initiation and Re-initiation Fees	12,100.37	Benefits Paid	42,064.84
Withdrawals and Transfers	7.00	Funds for transmittal	748.50
Assessments & Fines	3,789.75	Refunds-Dues	1,021.22
Non-member fees	1,676.47	Office and Administrative	28,980.48
Funds for transmittal for members	817.50	Legal Fees	5,867.74
Other Receipts (Schedule A)	23,407.65	Arbitration Fees	550.00
Mandatory Drug Test	249.50	Other Professional Fees	1,902.93
<b>Total Income</b>	<b>\$251,645.68</b>	Taxes	7,898.92

### EXPENSES

Salaries	\$81,869.15	Meeting and committee expenses	1,648.35
Expense allowances	6,650.00	Auto expenses	4,084.68
Per capita tax	59,681.66	Out of town travel expenses	5,138.58
		Other expenses (Schedule B)	9,150.30

**Total expense**

**\$259,007.35**

**Net income**

**(\$7,361.67)**

## STATEMENT OF ASSETS & LIABILITIES As of September 30, 2006

Assets	Sept. 30, 06	Aug. 31, 06	\$ Change
General Fund-Checking Acct.	58,555.62	88,215.23	(29,659.61)
Petty Cash	850.00	850.00	0.00
General Fund-Savings Acct.	13,703.33	13,654.18	49.15
General Fund-CD	5,677,757.56	5,663,292.50	14,465.06
Cash in Special Funds	32,696.90	32,643.55	53.35
Land	0.00	0.00	0.00
Buildings	0.00	0.00	0.00
Office Furniture/Equipment	27,054.54	27,054.54	0.00
Other Assets	0.00	0.00	0.00
<b>Total Assets</b>	<b>\$5,810,617.95</b>	<b>\$5,825,710.00</b>	<b>(\$15,092.05)</b>
<b>Liabilities &amp; Equity</b>			
Credit Cards/MBNA Business Card	0.00	0.00	0.00
Payroll Liability	0.00	7,730.38	(7,730.38)
Long Term Liabilities: Obligations	0.00	0.00	0.00
<b>Total Liabilities</b>	<b>0.00</b>	<b>7,730.38</b>	<b>(7,730.38)</b>
<b>Equity</b>			
Opening Balance Equity	(132,698.93)	(132,698.93)	0.00
Net Income	5,943,316.88	5,950,678.55	(7,361.67)
<b>Total Equity</b>	<b>\$5,810,617.95</b>	<b>\$5,817,979.62</b>	<b>(\$7,361.67)</b>
<b>Total Liabilities &amp; Equity</b>	<b>\$5,810,617.95</b>	<b>\$5,825,710.00</b>	<b>(\$15,092.05)</b>

### Schedule A—Other Receipts

Sale of Supplies	540.00
Membership Application Fee	30.00
Interest-General Fund checking	23.00
Interest-Citizens Funds	49.15
Interest-Washington Mutual Savings	0.73
Interest-Washington Mutual CD	52.62
Interest-McM Funds	14,465.06
Reimbursements-Other Receipts	7,996.09
Insurance (Benevolent)	51.00
Joint Council 7 Reim for Secty	200.00
<b>Total Income</b>	<b>\$23,407.65</b>

### Schedule B—Other Expenses

Sick Benefit Payments	7,210.00
Building Maintenance	960.00
Overpayment on Checkoff	75.00
Bank Error	117.50
Pest Control Services	120.00
Gardening Service	325.00
Drug Test	199.60
Nor Cal Teamsters News	143.20
<b>Total Other Expenses</b>	<b>\$9,150.30</b>

For Local 70 members who are sick or hurt.  
We want to hear from you—you may have benefits coming.

## SICK BENEFIT FUND

Monthly Meetings—2nd Tuesday at 7:30 p.m.

1-800-243-1350 or 510-569-9317

To be eligible for Sick Benefits, claims must be filed at Local 70's office within thirty (30) days of disability. Also, dues for the previous month must have been paid on time.

**Sick Benefit Fund Bylaws, Section 4:** A member depositing an Honorable Withdrawal Card or Transfer Card, or who is reinstated, shall not be eligible for any disability benefits due to injury sustained or illness suffered within a six (6) month period after said Card is deposited, or after said reinstatement; that is, there will be no liability for payment of benefits for any disability having its inception during the six (6) month period. All claims must be filed within thirty (30) days after the date of eligibility. All claims must be filed previous to transferring from Local No. 70.

## In Memoriam Local 70 Obituaries

CRACKBON, Charles, October 20

GORMAN, William, March 28

PORCH, Mitchell, October 4

RODGERS, William, September 24

VASE, Ray D., May 13



serve the Plan's assets by prudent investment and prudent diversification of investments.

#### How are the Benefits Provided?

The Plan provides Benefits through a Group Insurance Policy issued by LifeWise Assurance Company. If you would like to have a copy of the Group Insurance Policy, the Plan Administrator will provide one on request for a small copying and mailing charge.

### III. BENEFITS

#### What Benefits Does the Plan Provide?

The Plan provides four kinds of Benefits:

- (i) Member Life Benefits;
- (ii) Member Accidental Death and Dismemberment Benefits;
- (iii) Member Seat Belt Benefit, and
- (iv) Spouse Life Benefits.

#### What Is the Member Life Benefit?

The Plan pays a Life Benefit in cash to your Designated Beneficiary on your death.

#### What Life Benefit Will My Beneficiary Receive At My Death?

The amount of the Life Benefit depends on the Plan Type your Local Union selects. The Life Benefit is between \$4,000 and \$10,000. The chart in Section IV shows you what Life Benefit is provided by each Plan Type.

#### If I Lose My Eligibility, Is There a Way to Continue My Coverage?

Yes. The Insurance Company will sell you an individual life insurance policy if you ask for one. You will not have to prove you are insurable. The amount of life insurance will be the same as what your Life Benefit was under the Plan (or less, if you choose). If you die within 31 days after termination of membership, a Life Benefit will be payable whether or not application was made for an individual policy.

If the Group Insurance Policy is cancelled, the Insurance Company will sell you an individual life insurance policy if you ask for one. The amount of life insurance will be the same as what your Life Benefit was under the Plan (or less, if you choose), but not more than \$2,000. To buy this policy, you must have been covered under the Group Insurance Policy for at least five years without a break on the date the Group Insurance Policy ends.

#### What are the Accidental Death and Dismemberment (AD&D) Benefits?

Accidental Death and Dismemberment (AD&D) Benefits are paid if you die from an Accident that occurs while you are eligible, or you suffer a dismemberment from an Accident within one year of the Accident.

#### What is an "Accident"?

An Accident is a sudden and unforeseen event which is definite as to time and place.

#### Is Every Member in the Plan Covered for AD&D Benefits?

Yes.

#### If I am Covered and Have an Accidental Death, Do My Beneficiaries Receive Both Life and Accidental Death Benefits?

Yes. The Accidental Death Benefit is paid in addition to the Life Benefit for those who are covered at the time of their Accidental Death.

#### What is the Amount of Accidental Death Benefits?

The amount of the Accidental Death Benefit depends

on the Plan Type your Local Union selects. The Accidental Death Benefit is between \$4,000 and \$10,000. The chart in Section IV shows you the amount payable according to each Plan Type.

#### What Qualifies for Accidental Dismemberment Benefits?

Dismemberment is the loss of both hands, both feet, or eyesight in both eyes, from an accident, within one year of that Accident. If you lose one hand, one foot, or the sight in one eye, you qualify for one-half the full benefit. Any two of these qualifies for the full Benefit.

Loss of a hand or foot means severance at or above the ankle. Loss does not mean the loss of function in a hand or foot. Loss of sight means the total and irrecoverable loss of sight.

#### What is the Amount of the Accidental Dismemberment Benefit?

The full Accidental Dismemberment Benefit is equal to 100% of the Accidental Death Benefit. This amount depends on the Plan Type selected by the Local Union on your behalf. See the chart in Section IV for the range of benefit amounts. For more than one loss from the same Accident, payment will be made only for the loss on which the largest amount is payable.

#### Who Does the Plan Pay Dismemberment Benefits to?

Dismemberment Benefits are paid to the Member.

#### Are There Any Restrictions on the AD&D Benefit?

Yes. AD&D benefits are not provided if the injury or death is the result of: (a) intentionally self-inflicted injury, or suicide, while sane or insane; (b) voluntary consumption of any illegally obtained drug or medication; (c) ptomaine or bacterial infections (except infections occurring through an accidental cut or wound); (d) bodily or mental infirmity, disease of any kind, or as a result of medical or surgical treatment therefore, (e) the commission of or the attempt to commit an assault or felony by the participant; (f) war, whether declared or undeclared, or insurrection; or (g) participation in a riot.

#### What is the Seat Belt Benefit?

The Seat Belt Benefit is paid if you die from an Accident in an automobile, and you were wearing a seat belt, lap and shoulder restraint, or other restraint approved by the National Highway Traffic Safety Administration. The Seat Belt Benefit is paid in addition to the Accidental Death and Life Benefits.

#### How Much Is the Seat Belt Benefit?

The Seat Belt Benefit is 100% of the Accidental Death & Dismemberment Benefit.

#### Are There Any Restrictions on the Seat Belt Benefit?

Yes. The Seat Belt Benefit will not be paid if you were driving while impaired by alcohol or drugs, or if the driver of the automobile in which you were riding was impaired by alcohol or drugs, at the time of the Accident. The Seat Belt benefit also will not be paid if the Accident occurs in a taxi, bus or other vehicle being used for public conveyance or in a vehicle while it is used in off road activities or in testing, racing or endurance contests, either amateur or professional.

#### What is the Spouse Life Benefit?

The Plan will pay a Life Benefit to the Member of an eligible Spouse on the Spouse's death. The amount of Life Benefit is shown in the Schedule of Benefits in Section IV. This benefit is available only for deaths occurring on or after June 1, 2006.

#### If My Spouse Loses Eligibility, Is There an Option to Continue Coverage?

Yes. The Insurance Company will sell your Spouse an individual life insurance policy if your Spouse applies for one.

### IV. SCHEDULE OF BENEFITS

Plan Type	Life Benefit	Ad&D Benefit	Seat Belt Benefit	Spouse Life Benefit	Cont. Rate
Plan A	\$4,000	\$4,000	\$4,000	\$2,000	20¢
Plan B	\$6,000	\$6,000	\$6,000	\$2,000	35¢
Plan C	\$8,000	\$8,000	\$8,000	\$2,000	50¢
Plan D	\$10,000	\$10,000	\$10,000	\$2,000	60¢

### V. BENEFICIARIES

#### Who Does the Plan Pay Member Life and Accidental Death Benefits to?

You decide who receives your Member Life Benefits and Accidental Death Benefits by naming the person or persons who will receive them. They are called a Beneficiary.

#### How Do I Name a Beneficiary?

You name one or more persons as a Beneficiary on a Designation of Beneficiary Form. This form is provided to you by your Local Union. Follow the instructions on the form, sign it, and return it to your Local Union. Your Local Union will keep it on file.

#### What Happens If I Do Not Name Anyone as a Beneficiary?

If you do not name a Beneficiary, the Plan will pay your Member Life Benefit or Accidental Death Benefit to these people, in order:

- to your spouse, or if your spouse does not survive you,
- to your child or children (including legally adopted children) to be shared equally, or if no children survive you,
- to your parents to be shared equally, or if no parent survives you,
- to your brothers and sisters to be shared equally, or if no brother or sister survives you,
- to the executor, administrator or trustee of your estate.

#### What Happens If I Am Married and Do NOT Name My Spouse as Beneficiary?

The Plan will pay the Benefits to the person(s) that you name. The Plan will not consider whether or not you live in a state with community property laws.

#### What Happens If I Name My Spouse as My Beneficiary and then get Divorced?

If you become divorced, your former Spouse will be cancelled automatically as a Beneficiary. You must re-name that former Spouse as a Beneficiary after the divorce for him or her to receive Benefits.

### VI. CLAIMS PROCEDURES

#### How do I or My Beneficiary Make a Claim For Benefits?

If you or your Beneficiary have a claim, you can obtain the appropriate benefit claim form, and assistance in completing the form, from your Local Union.

You, or your Beneficiary, must tell the Plan Administrator in writing that you have a claim within twenty (20) days after the loss occurs, or as soon after that as possible.

After you notify the Plan Administrator, if you have not submitted the appropriate benefit claim form, you will be sent the appropriate benefit claim form. Complete this form and return it to the Plan Administrator.



### Do I or My Beneficiary Need to Prove a Loss?

Yes. Written proof of the loss should be provided within ninety (90) days of the loss, if possible. However, you have up to one year after the loss to gather the proof of loss without losing your Benefit.

For example, a Certified Copy of a Death Certificate is proof of loss to receive a Life Benefit. A law enforcement investigation report is necessary to prove that a death was caused by an Accident and that an approved seat belt was in use to receive a Seat Belt Benefit. An autopsy report, including a toxicology report is necessary to prove that the Member (or driver of the automobile) had not voluntarily consumed any illegally obtained drug or medication to receive the Accidental Death Benefit. The Plan Administrator will be able to tell you what proof is required depending on the circumstances of the loss.

### What Happens if My Claim is Denied?

The Plan Administrator must notify you or your Beneficiary in writing if your claim is denied. The written notice must tell you the following things:

- the specific reason(s) for the denial,
- the specific Plan provisions the denial is based upon,
- describe any additional information or material you or your Beneficiary may need to provide to complete your claim and explain why this is necessary, and
- describe what steps you need to take to appeal the denial of your claim.

The Plan has a procedure to resolve a dispute if you or your Beneficiary feels that benefits were improperly denied under the Plan. It works like this:

1. You can ask the Plan Administrator for information on your rights or benefits.
2. The Plan Administrator will respond to a claim for Benefits within ninety (90) days.
3. If you disagree with the Plan Administrator's deci-

sion, you have sixty (60) days from receiving the notice of denial of your claim in which to appeal the decision to the Trustees. If you have not heard from the Plan Administrator within ninety (90) days of filing your claim, then you have one hundred fifty (150) days from filing the claim to make your appeal.

4. The Trustees will respond to your appeal within sixty (60) days after receiving it. If there are special circumstances, the Trustees may require an extension of time. The Trustees will tell you that they need an extension, and they will respond within one hundred twenty (120) days of receiving your appeal.

## VII. STATEMENT OF ERISA RIGHTS

As a participant in this Plan you are entitled to certain rights and protection under the Employee Retirement Income Security Act of 1974 ("ERISA"). ERISA provides that all Plan participants shall be entitled to:

1. Examine, without charge, at the Plan Administrator's office and the office of your Local Union, all Plan documents and copies of all documents filed by the Plan with the Department of Labor, such as detailed annual reports and Plan descriptions.
2. Obtain copies of all Plan documents and other Plan information upon written request to the Plan Administrator. A reasonable charge will be made for the copies.
3. Receive a summary of the Plan's annual financial report. The Plan Administrator is required by law to furnish each participant with a copy of this summary financial report.

In addition to creating rights for Plan participants, ERISA imposes duties upon the persons who are responsible for the operation of this Plan. These persons who operate your Plan are referred to as "fiduciaries" of the Plan and have a duty to do so prudently and in the

interest of you and other Plan participants and beneficiaries.

No one, including your union or any other person, may discriminate against you to prevent you from obtaining a benefit or exercising your rights under ERISA.

If your claim for a benefit is denied in whole or in part you must receive a written explanation of the reason for the denial. You have the right to have the Plan review and reconsider your claim. Under ERISA, there are steps you can take to enforce these rights. For instance, if you request materials from the Plan and do not receive them within 30 days, you may file suit in a federal court. In such a case, the court may require the Plan Administrator to provide the materials and pay you up to \$100 a day until you receive the materials, unless the materials were not sent because of reasons beyond the control of the administrator.

If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or federal court. If it should happen that Plan fiduciaries misuse the Plan's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor, or you may file suit in a federal court. The court will decide who should pay court costs and legal fees. If you are successful the court may order the person you have sued to pay these costs and fees. If you lose, the court may order you to pay these costs and fees, for example, if it finds your claim is frivolous. If you have any questions about your Plan, you should contact the Plan Administrator.

If you have any questions about this statement or your rights under ERISA, you should contact the Plan Administrator or the nearest Area Office of the U.S. Labor-Management Service Administration, Department of Labor.

## Summary Annual Report TEAMSTERS LIFE WITH DUES BENEFIT PLAN

This is a summary of the annual report of the Teamsters Life With Dues Benefit Plan (EIN 91-1691238, Plan No. 501), for the year beginning January 1, 2005 and ending December 31, 2005. The annual report has been filed with the Employee Benefits Security Administration, as required under the Employee Retirement Income Security Act of 1974 (ERISA).

### Insurance Information

The Plan has a contract with LifeWise Assurance Company to pay life and accidental death and dismemberment claims incurred under the terms of the Plan. The total premiums paid for the plan year ending December 31, 2005 were \$2,199,041.

### Basic Financial Statement

The value of plan assets, after subtracting liabilities of the Plan, was \$16,183,365 as of December 31, 2005, compared to \$17,098,214 as of January 1, 2005. During the plan year, the plan experienced a decrease in its net assets of \$(914,849). This decrease included unrealized appreciation and depreciation in the value of plan assets; that is,

the difference between the value of the plan's assets at the end of the year and the value of the assets at the beginning of the year or the cost of assets acquired during the year. During the plan year, the plan had total income of \$1,433,980, including employer contributions of \$731,442, realized gain of \$116,958 from the sale of assets, and earnings from investments of \$585,580.

Plan expenses were \$2,348,829. These expenses included \$199,867 in administrative expenses and \$2,148,962 in benefits paid to participants and beneficiaries.

### Your Rights to Additional Information

You have the right to receive a copy of the full annual report, or any part thereof, on request. The items listed below are included in that report:

1. An accountant's report;
2. Financial information and information on payments to service providers;
3. Assets held for investment;
4. Insurance information including sales commissions paid by insurance carriers; and
5. Information regarding any common

or collective trusts, pooled separate accounts, master trusts or 103-12 investment entities in which the plan participates.

To obtain a copy of the full annual report, or any part thereof, write or call the office of Board of Trustees for the Teamsters Life With Dues Benefit Plan, 14675 Interurban Avenue South, Suite 107, Tukwila, Washington 98168, (206) 441-3151. The charge to cover copying costs will be \$4.50 for the full annual report or 25¢ per page for any part thereof.

You also have the right to receive from the plan administrator, on request and at no charge, a statement of the assets and liabilities of the Plan and accompanying notes, or a statement of income and expenses of the Plan and accompanying notes, or both. If you request a copy of the full annual report from the plan administrator, these two statements and accompanying notes will be included as part of that report. The charge to cover copying costs given above does not include a charge for the copying of these portions of the report because these portions are fur-

nished without charge.

You also have the legally protected right to examine the annual report at the main office of the Plan, 14675 Interurban Avenue South, Suite 107, Tukwila, Washington 98168, (206) 441-3151, and at the U.S. Department of Labor in Washington, D.C., or to obtain a copy from the U.S. Department of Labor upon payment of copying costs. Requests to the Department should be addressed to: Public Disclosure Room, N-1513, Employee Benefits Security Administration, U. S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

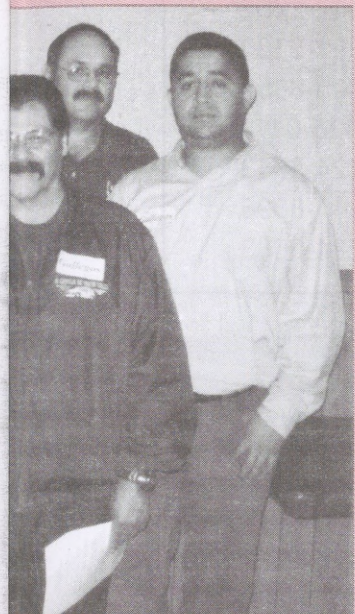
### NOTICIA IMPORTANTE PARA HISPANOPARLANTES

Usted puede obtener informacion y ayuda en Espanol, si no entiende ingles, tocante de los beneficios y reglas del Plan. Pongase en contacto con la oficina y pregunte para que le ayuden, Board of Trustees for the Teamsters Life With Dues Trust Fund, 14675 Interurban Avenue South, Suite 107, Tukwila, WA 98168.



## AROUND THE LOCALS

### Local 78 stands proud



President Frank Gallegos, Trustee Secretary Robert Barragan, Vice

78. The campaign was led by Business Agents Ron Paredes and Dan Varela.

"We're confident the contract negotiations will be favorable," said Varela, "because they're already organized in San Francisco."

### Cal is the challenge

The 40 employees at U.C. Berkeley Parking Concepts, Inc. had their choice of being represented by Local 78 recognized through card check agreement.

"We won an election with this company at Oakland's Franklin Street lot, and were able to get a contract there," said Business Agent Ron Paredes. "We know that this employer is willing to give their employees a decent contract, but U.C. Berkeley won't agree to it. In fact, U.C. is fighting this all the way. We'll have to get some political assistance if we're ever going to win this."

### Local 890

#### Organizing victory at River Ranch Fresh Foods

On November 15, 2006, Teamsters Local 890 informed management at River Ranch Fresh Foods that a majority of the company's receiving, cooling, and production forklift operators working in Salinas, and El Centro have signed cards designating Local 890 as their representative. There are 72 workers in the unit, and the Local has authorization signatures from 75%.

Local 890 Vice President Crescencio Diaz stated: "These workers want to stabilize their wages and benefits, and get the same protections all the other River Ranch union

members have. Getting a card majority and demanding a card-check is a huge step in the right direction for all of them. The Union expects the Company to do the right thing and commence negotiations to cover these employees under our existing contract." Over 800 Local 890 members employed at River Ranch Fresh Foods are already covered by a Teamsters 890 contract. The forklift operators were the only large group of non-union employees at the River Ranch salad plants.

"We also want to thank the IBT Organizing Department for promptly sending in their trained organizers to assist the Local in our drive to unite these workers. IBT organizers Esperanza Torres and Suzy Madera were instrumental in organizing this group of Spanish-speaking workers, many of whom actually live across the border in Mexicali, Mexico," Diaz added. "Si Se Puede!"

### Taylor employee elected

Ramiro Navarro, an eight-year employee at Taylor Farms was elected in September to the post of Trustee on the Local 890 Executive Board. The Executive Board decides the policies of the Local Union, and is elected by the members every four years.

"By serving on the Board, I will be able to speak for my co-workers at Taylor Farms and the other salad plants," said Ramiro. "I will go to the Executive Board meeting every month, but I will still work every day at the plant, and will be talking every day with my co-workers. In 2008 we will be negotiating a new contract for Taylor and the other salad plants, and it's important for the salad plant workers to have a voice on the Union Executive Board."

### Local 278 retirees enjoy another great picnic



The 278 Retirees Club had its annual picnic on September 22 at Coyote Park in San Mateo. The planning committee reports that the food was delicious, the Bay Area weather cooperated and the prizes were, once again, outstanding. A good time was had by all!

### Local 70

#### Bestway San Leandro employees sign their union cards

In August 2006, approximately 60 employees at the USF Bestway San Leandro terminal voted to become members of Teamsters Local 70. An overwhelming 67% signed pledge cards requesting union representation in an effort to gain increased job security, seniority rights, a way to address favoritism and improved pension benefits.

Because a majority of workers signed authorization cards, the company recognized their wish to form a union. The card-check neutrality clause allowed Local 70 to organize the workers in less than 30 days.

This victory came on the heels of two other recently organized terminals—Modesto and Sacramento.

The recent purchase of USF Bestway by Yellow Roadway Corporation (YRC) paved the way for a Teamster card check neutrality agreement with the company. Under this agreement, the company agrees not to harass or enter into any negative campaign against the union or the employees in its efforts to organize.

With this agreement in hand, Local 70 was able to organize the San Leandro workers in less than 30 days.

The organizing drive was a joint effort by Chuck Mack, Bob Bell and Bob Aiello. We also got support from IBT Organizers Rob Nicewonger, Andy Budai and Jesse Casqueiro.

Our momentum continues to build because USF Bestway workers want more security for themselves and for their families. USF Bestway workers know that Teamster contracts will make their lives better.

Contract negotiations begin in December. We will begin working with the volunteer Organizing Committee in December and holding classes and seminars to ramp up for the next campaigns.

### Local 853

#### SF Printers union merges

In August, the members of Local 583, a San Francisco-based printing union that had been part of the Graphic Communications Conference, voted to merge with Local 853. (The GCC was formed when the 60,000 member GCIU merged with the Teamsters in 2005.)

"We're proud to have these 520 highly skilled printers choose to join with us," said Local 853 Secretary-Treasurer Rome Aloise.

Former Local 583 President and now Local 853 Business Rep Lee Lahtinen agreed. "Printing is an ever-changing industry and our members wanted the strength and stability of a strong Local behind us."

### Local 78

#### and Fly the union way

4% margin, the 30 shuttle bus drivers and valet parking attendants Fly at the Oakland Airport voted on September 29 to be represented by Local



## TEAMSTERS JOINT COUNCIL 7

### Executive Board

Chuck Mack—President  
Steve Mack—Vice President  
Robert Morales—  
Secretary-Treasurer  
Rome Aloise—  
Recording Secretary  
Ernie Yates — Trustee  
Carlos Borba — Trustee  
Franklin Gallegos — Trustee



### Delegates' Meetings:

The regular delegates' meetings are held the first Tuesday in February, April, June, August, October and December.

**Please note:** The Bulletin Board is included in the paper only once each year, in the Feb/March issue. We print address and meeting changes on an ongoing basis.

## Reminder

General meeting notices were posted in the June/July issue of this paper. For meeting dates and locations, refer to that notice or call your Local Union.

15 . . . . .	510-487-1386	490 . . . . .	707-643-0387
70 . . . . .	510-569-9317	624 . . . . .	707-542-1292
78 . . . . .	510-889-6811	665 . . . . .	650-991-2102
85 . . . . .	415-344-0085	853 . . . . .	510-895-8853
278 . . . . .	415-467-0450	856 . . . . .	650-635-0111
287 . . . . .	408-453-0287	890 . . . . .	831-424-5743
315 . . . . .	925-228-2246	896 . . . . .	707-644-8896
350 . . . . .	650-757-7290	912 . . . . .	831-724-0683



## BULLETIN BOARD

— Meeting changes only —

### Local 15

Due to the Christmas Holiday, the December Membership meeting will be held Monday, December 18. The location will be at Local 853's meeting room, 2100 Merced Street, Suite B, San Leandro.

### Local 70

The December Stewards Council Meeting will be held Saturday, December 9 at 8:30 a.m. The December membership meeting will immediately follow at approximately 10:00 a.m. The January, 2007 meeting will be held the fourth Thursday of the month at 7:00 pm.

### Local 78

Due to the Christmas Holiday, the December Membership meeting will be held Monday, December 18.

### Local 665

Due to the Christmas Holiday, the December Membership meeting will be held Tuesday, December 19.

**NOTICE:** Per Section 29 of the Local Union bylaws, changes in the Local Union initiation and re-initiation fees will be reviewed and voted on the fourth Tuesday of January, February and March 2007 at the regular monthly membership meeting: 7:00 p.m., 295 89th Street, Suite 306, Daly City CA

Ernie Yates, Secretary-Treasurer.

### Local 856

The December Membership meeting is cancelled. The January, 2007 Membership meeting will be held Tuesday, January 30, 7:30 p.m. at Local 856.

## Pension plan update

*The failure of pension plans in the airline industry and in manufacturing has raised a level of concern about defined benefit pensions. No matter what terminal, warehouse, or worksite, members want to know if their pension is secure and if it will be there when they retire.*

*The good news—the Western Conference of Teamsters Pension Plan is solid, secure and performing well. Pension Plan Trustees on the union side asked Union Caucus Chair Tony Lock to provide an update on the Western Plan. That information follows. It should provide members a level of comfort for the future.*

► Plan assets now stand at \$29.6 billion—the highest level in the Trust's 51-year history.

► The Plan continues its drive toward full funding, having added hundreds of millions of dollars of funding strength over the past three years. On a market value basis, the Plan's vested benefit liabilities are 100% funded, and the level of investment returns required to create future actuarial gains decreases in each upcoming year through 2010.

► Participation in the Plan has increased in each of the past two years, with the number of employees reported in an average month up over 2% from 2003 levels. In fact, over 6,000 members of new groups not previously in the Trust have voted to join in recent years.

► The Plan received a record \$1.2 billion in employer contributions in

2005. This is an increase of 7.1% over the prior year...and demonstrates again the ongoing strength of the Plan, as bargainers continue to voluntarily designate increases to the Pension in each contract settlement.

► The Plan paid \$1.8 billion in benefits to over 190,000 recipients in 2005—new highs in both categories.

Trust investment performance ranked in the top 3% of the Wilshire Cooperative Universe of Employer-Union Pension Funds nationwide.

► A Participant who draws an Age Retirement Benefit on average receives, in the first 39 months of retirement, an amount equal to every dollar of contributions made during his working life. After 39 months, investment earnings and interest pay the benefits, which is why it is so impor-

## In Memoriam

*Joint Council 7 officers extend condolences to the family and friends of the following Teamster members who died recently*

TEXERA, Richard, Local 15	SALINAS, Arturo, Local 287
CRACKBON, Charles, Local 70, 85	SALINAS, Paul, Local 287
GORMAN, William, Local 70	TERRON, Michael, Local 287
PORCH, Mitchell, Local 70	TOLOSANO, Calvin, Local 287
RODGERS, William, Local 70	VACCARO, Michele, Local 287
VASE, Ray D., Local 70	VIERRA, Albert, Local 287
GIPPETTI, Steve, Local 78	WYATT, Dewitt, Local 287
LAMENDOLA, Carmelo, Local 78	CANARIO, Antonio, Local 315
MERTZ, Alvin, Local 78	DELGADO, Benjamin, Local 315
THOMPSON, Rodney, Local 78	MOONEY, Charles, Local 315
BORG, Julian, Local 85	PHILLIPS, Ormond, Local 315
HESS, Karl, Local 85	TONNEY, Lane, Local 315
MADRONICH, Paul, Local 85	WATSON, Elven, Local 315
MILOS, Richard, Local 85	BIRD, Wilbur, Local 484
PARAVAGNA, Charles, Local 85	DEL GRANDE, Virgilio, Local 484
RIOS, Richard Acevedo, Local 85	GONZALEZ, Demetrio, Local 484
ROGERS, Joseph, Local 85	MUZIO, A.J., Local 490
REDMOND, William, Local 278	GULLY, Nathan, Local 665
SBAGIA, Frank, Local 278	SCALICE, Gary, Local 665
ALVARADO, Matilde, Local 287	CORDENIZ, Manuel, Local 853
BANNISTER, John, Local 287	BERGER, Catherine, Local 856
CHANDLER, William, Local 287	CAUSI, Joseph, Local 856
COMPOZ, Ignacio, Local 287	DELANEY, Elizabeth, Local 856
DALTON, Betty, Local 287	MAYORAL, Raul, Local 856
DUTTON, John O., Local 287	CASTRO, Leo F., Local 890
GLASS, John, Local 287	GODINEZ, Raul, Local 890
HIGGINS, Floyd, Local 287	HARDIN, Bonnie, Local 890
LINDA, Robert, Local 287	MARTINEZ, Jovita, Local 890
NEILSON, Greg, Local 287	MEZA, Juan, Local 890
NGUYEN, Huong, Local 287	POLANCO, Ruben, Local 890
OLSHASKIE, Thornton, Local 287	SALINAS, Everado, Local 890
PERI, Patty, Local 287	URIBE, Jose Jesús, Local 890
QUINTAL, Edward, Local 287	ZÁPATA, Marcos Antonio, Local 890
QUINTANA, Jose, Local 287	BENNETT, Larry, Local 896
QUINTARARO, Carl, Local 287	ANDERSON, John, Local 921
REYES, Tony, Local 287	BRIGGS, Robert, Local 921
RODRIGUEZ, Albert, Local 287	COMINI, Robert, Local 921
RODRIGUEZ, Ruben, Local 287	SANCHEZ, Lionel, Local 921
ROSE, Arthur, Local 287	STICKLES, Monte, Local 921

tant to have professionals such as ours working on the Participants' behalf.

► With every dollar contributed to the Plan on their behalf, Participants increase their eventual retirement benefit level. Once earned, a benefit level can never be lost or reduced—or outlived. Benefits are payable over Participants' lifetimes—and, depending on the form of benefit chosen, over their spouses' lifetimes. This is the ul-

timate in retirement security.

► Your Plan collects contributions from over 5,000 Employers. Companies in more than two dozen industries support the Plan. This diversity adds strength to the funding base and avoids the problems encountered in single employer OR single industry plans, such as seen in the airline and steel industries, where the future of the plan is tied solely to that industry.



## ELECTION NOTICE

### LOCAL 912, Watsonville

General Membership meetings are held the fourth Tuesday of each month at 12 Noon, 22 E. 5th St., Watsonville, and at 7:00 p.m. at VFW, 1960 Freedom Blvd., Watsonville.

#### NOTICE OF NOMINATIONS AND ELECTION OF OFFI- CERS AND BUSINESS AGENTS

Notice is hereby given of the nomination and election of the following officers of Local Union 912: Secretary-Treasurer (Principal Officer), President, Vice President, Recording Secretary, Trustees (3). The terms of office for these officers will commence on January 1, 2007, and conclude on December 31, 2009.

#### Nominations

Nominations will be accepted at a special meeting to be held Saturday, November 18, 2006 at the Local Union Hall at 22 East 5th Street, Watsonville, California, at 10:00 a.m. Nominations must be made and seconded from the floor by members of Local 912 other than the nominee. Nominators and seconders must be members in good standing with dues paid through October, 2006. Nominees must accept nomination in person, or if absent, in writing for only one office. Written acceptances must be submitted to the Secretary-Treasurer, or his designated representative.

#### Eligibility to Nominate, Vote and Run for Office

Rules for eligibility to nominate, vote and run for office are printed at the beginning of the Bulletin Board section of the Newspaper, above. In order to nominate a candidate, dues for the month of October, 2006 must be paid prior to the nomination meeting. In order to have your ballot counted, dues for the month of November, 2006 must be paid prior to 5:00 p.m. on Friday, December 22, 2006. The eligibility of seasonal workers in the seasonal food industry to nominate and to vote is governed by Article XXII, Section 4 of the IBT Constitution. Such persons are eligible for these purposes if they:

- 1) were in regular employment during some period of the twelve (12) months prior to the election, and
- 2) produce satisfactory evidence that their dues were paid up through the last month of employment.

Potential candidates are encouraged to check their eligibility, and the eligibility of their nominators and seconders, prior to the nominations meeting. Requests should be submitted in writing to the Secretary-Treasurer or his designated representative.

#### Election

The election shall be by mail ballot. Ballots will be mailed on or about December 5, 2006, to the last known address of all active members and new applicants eligible for membership in Local 912. All ballots must be received in the post office

in accordance with the instructions contained in the envelope that includes the ballot no later than December 26, 2006. Ballots will be picked up from the post office, taken to the Union office and counted beginning at 9 a.m. on December 29, 2006.

#### Protests

Any pre-election protests must be filed with the Local Union Secretary-Treasurer in accordance with the provisions of Article XXII, Section 5(a) of the International Constitution. Any post election protests must be filed with the Secretary-Treasurer of the Joint Council #7, in accordance with the provisions of Article XXII, Section 5(b) of the International Constitution.

Copies of these Articles of the International Constitution, the Local Union #912 By-laws and the rules governing the conduct of this election are available, upon request, from the Local Union.

#### AVISO DE NOMBRAMIENTO Y ELECCION DE LOS OFI- CIALES Y AGENTES DE NE- GOCIOS DE LA UNION

Por la presente se da este aviso con respecto al nombramiento y la elección de los siguientes oficiales del Local 912 de la Unión: Secretario-Tesorero (Oficial Principal), Presidente, Vice-Presidente, Secretario de Actas, Fiduciarios (3). Los terminos de los puestos de estos oficiales comenzarán el 1º de Enero, 2007 y concluirán el 31 de Diciembre del año 2009.

#### Nombramientos

Se aceptarán nombramientos en la Reunión Especial de Miembros que se hará el sábado, 18 de Noviembre, 2006 en el Salón del Local de la Unión en 22 East Fifth St. Watsonville, CA, a las 10:00 de la mañana.

Los nombramientos se tienen que proponer y secundar desde el piso de la asamblea por miembros del Local 912

que no sean la misma persona nombrada. Los nombradores y secundadores tienen que ser miembros acreditados que han pagado sus cuotas de membresía hasta Octubre de 2006. Los Nombrados tienen que aceptar su nombramiento por escrito y por solo un puesto. Las aceptaciones escritas se tienen que someter al Secretario-Tesorero, o a su representante designado.

#### Elegibilidad para nombrar, votar y correr por un oficio

Las Reglas de elegibilidad para nombrar, votar y correr por un oficio se encuentran al principio de la la sección "Bulletin Board" de este periódico. Para nombrar a un candidato, la cuota del mes de octubre de 2006 se tiene que pagar antes de la junta para nombramientos. Para que se incluye su balota en la cuenta oficial se tiene que pagar su cuota para el mes de noviembre de 2006 antes de las 5:00 de la tarde, vienes el 22 de diciembre de 2006. La elegibilidad de trabajadores temporales de la industria de procesamiento de alimentos se gobierna de acuerdo con el Artículo XXII, Sección 4 de la constitución de la IBT. Tales personas se considerarán elegibles con estos propositos con tal de que:

- 1) Se contrataron en un trabajo regular durante alguna parte de los doce (12) meses antes de la elección; y 2) Provean evidencia satisfactoria de que pagaron su cuota hasta el último mes en que trabajaron.

Se aconsejan a los candidatos potenciales que revisen su elegibilidad y la de sus nombradores y secundadores antes de la junta para nombramientos. Se debería de someter cualquier solicitud por escrito al Secretario-Tesorero o a su representante designado.

#### La Elección

La elección se conducirá por balota por correo. Se enviarán las balotas en aproximadamente el 5 de diciembre a la última dirección conocida de cada miembro o candidato elegible para la membresía en el Local 912. Todas las balotas se tienen que recibir en la oficina del correo de acuerdo con las instrucciones que se encuentran en el sobre con la balota no después del 26 de diciembre de 2006. Las balotas se recogerán de la oficina del correo y se llevarán a la oficina de la unión para contarse a las 9 de la mañana el 29 de diciembre de 2006.

#### Protestas

Cualquier protesta de antes de la elección se tiene que entregar al Secretaria-Tesorero de acuerdo con los provisos del Artículo XXII, Sección 5(a) de la Constitución de la IBT. Cualquier protesta después de la elección se tiene que entregar al Secretario-Tesorero del Concilio Conjunto #7, de acuerdo con los provisos del Artículo XXII, Sección 5(b) de la Constitución de la IBT.

Se pueden solicitar al Local 912 copias de tales artículos de la Constitución de la IBT y las Reglas del Local 912 que gobiernan la conducta de esta elección.

*Brad Sebring, Secretary-Treasurer*

### Nominations & Elections: International Constitution December, 2006

The following excerpts from the International Constitution apply to all nominations and elections in Teamster Locals:

#### ARTICLE XXII, Section 4(a):

To be eligible to nominate and otherwise participate in the nominations meeting, a member must have his dues paid through the month prior to the month in which the nominations meeting is held. Nominations shall be made at the meeting by a member in good standing other than the nominee by motion seconded by a member in good standing other than the nominee. Candidates must accept nominations at the time made either in person, or, if absent, in writing, and may accept nomination for only one office. A member may also run for and be elected as a Business Agent or Assistant Business Agent as provided in Article XXII, Section 8, and may hold both the office and the position if elected to both.

#### ARTICLE XXII, Section 4(b):

The Local Union Executive Board shall have the authority to establish all rules and regulations for the conduct of the election to supplement the provisions of the International Constitution and the Local Union Bylaws, including the authority to use mail referendum balloting or absentee balloting without membership approval. Absentee voting by mail shall be permitted only upon application of members who are ill or absent from the city or town where they are normally employed at the time of voting because on vacation or on employment tour of duty.

The Local Union Executive Board may permit additional reasons for absentee balloting if they so desire. Application for absentee ballots shall be made to the Secretary-Treasurer of the Local Union not less than five (5) days prior to the date set for election and shall contain the grounds therefor. Absentee ballots shall be valid only if they are received by noon of the day on which the polls close.

(NOTE: The International Union recommends that prospective nominees be advised to verify, in advance of the nominations meeting, the eligibility of the nominators and seconders).

#### ARTICLE XXII, Section 4(c):

To be eligible to vote in the election, a

member's dues must be paid up through the month prior to the month in which the election is held.

#### ARTICLE II, Section 4(a)(1):

To be eligible for election to any office in a Local Union, a member must be in continuous good standing in the Local Union in which he is a member and in which he is seeking office, and actively employed at the craft within the jurisdiction of such Local Union, for a period of twenty-four (24) consecutive months prior to the month of nomination for said office, and must be eligible to hold office if elected. "Continuous good standing" means compliance with the provisions of Article X, Section 5, concerning the payment of dues for a period of twenty-four consecutive months, together with no interruptions in active membership in the Local Union for which office is being sought because of suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments. Provided, however, that if a member on withdrawal deposits his card in the month immediately following the month for which it was effective and pays his dues for both months in a timely manner as provided in Article X, Section 5(c), such period of withdrawal shall not be considered a break in continuous good standing in the Local Union.

(NOTE: In addition to the foregoing Constitutional provisions, the International advises that: Elected officers of the Local Union, shall, by virtue of such election, be delegates to any Joint Council with which the Local is affiliated as well as to any convention of any subordinate body which may take place during their term of office.

Elected Local Union officers shall be delegates to such conventions in the order of priority set forth in the Local Union Bylaws. If the Bylaws do not set forth an order of priority, the principal executive officer shall have first priority, followed by the remaining elected officers in the order determined by the Executive Board.

Members are advised to consult the Bylaws of their Locals for additional rules concerning nominations and election procedures).





## SACRAMENTO REPORT

### At end of 2006 legislative session, Governor signs some labor bills and vetoes more

**BARRY BROAD**  
Legislative Director

After the legislature passes its slate of bills each session, the Governor has 30 days to sign or veto them. Here is a final report on some of the Teamster-supported bills passed in 2006.

It's a mixed bag. Last year, the Governor moved far to the right and his special election agenda was repudiated by the electorate. In response, he made the conscious election year decision to move back towards the center of the political spectrum to get himself reelected.

As a result of his abrupt shift, Governor Schwarzenegger decided to sign some labor-backed bills—most of which he had vetoed the year before. Despite his drift toward the center, the Governor vetoed many good bills.

#### Rail safety—signed

Despite vetoing a lesser bill in 2005, the Governor signed into law AB 3023 by Assembly Speaker Fabian Nunez, (D-Los Angeles). The bill requires the railroads to comply with their own track safety rules and requires them to formulate and implement plans for responding to acts of terrorism and other emergencies. It provides for whistleblower protection of employees who report deficiencies to the appropriate government authorities and authorizes significant fines when rail employers fail to do the right thing.

The new laws enacted as part of AB 3023 are the first of their kind in the nation and the Teamsters are proud to have achieved this victory for their brothers and sisters in heavy rail.

#### Minimum wage goes up

AB 1835 by Assembly Member Sally Lieber, (D-Mountain View), increases the state's minimum wage by \$1.25 over the next 18 months. While we lost the battle to have the minimum wage annually increased via a cost of living adjustment, this law helps ensure that companies like Wal-Mart can't continue to benefit from an artificially low minimum wage and that the working men and women of this state are better able to afford life's necessities.

#### Workers' comp—a mixed bag

The Governor signed AB 2068 by Assembly Member Pedro Nava, (D-Santa Barbara), enabling workers to continue to exercise their right to pre-designate a treating physician for workers' compensation treatment until December 31, 2009. The bill also enables workers to pre-designate an entity like

Kaiser, instead of only being able to pre-designate a single physician. The bill clarifies the right of workers to be referred to other doctors and specialists by their treating physician. Finally, the bill eliminates the cap on the number of workers who are allowed to pre-designate. This bill is a huge victory for us as many of our members have been illegally denied their right to pre-designate since SB 899 was implemented in 2004.

The Governor vetoed SB 815 by Senator Don Perata, (D-Oakland). This bill would have revised the formula for computing payments for injuries causing permanent disability.

#### NAFTA & trucking—vetoed

Since NAFTA was enacted, we have struggled with what to do about the influx of Mexican trucks that will further erode the economic viability of unionized trucking companies. At the federal level, Mexican trucks entering the U.S. have to follow certain safety, environmental, and insurance rules and are prohibited from operating point-to-point within the U.S. However, enforcement has been close to impossible.

As a tiny solution to this very large problem we managed to sneak in an amendment to a California Highway

Patrol omnibus bill. The CHP will now be able to put a Mexican truck out of service if it is being operated in violation of the above-referenced rules. AB 3011 by Assembly Member John Benoit, (R-Riverside), simply cross-references the federal regulations that deal with these issues in the normal CHP out-of-service rules. The bill, signed by the Governor, will be effective in January.

*While the Governor signed some labor-backed bills, most of which he had vetoed the year before, he also vetoed many good bills.*

#### Trucking industry meal and rest break bill vetoed

At the urging of various employer groups, the Governor vetoed—for the second time in three years—AB 2593 by Assembly Member Rick Keene, (R-Chico). The bill would have allowed unions representing commercial drivers to work out in collective bargaining the circumstances under which they would be allowed to have paid, on-duty meal periods.

#### Port bills vetoed

The Teamsters have taken an active interest in port-related legislation where there is potential to improve the lives of port truck drivers.

SB 1213 by Senator Joe Dunn, (D-Santa Ana) was a re-introduction of the bill we sponsored last year, SB

848. These bills would have provided independent contractor port truck drivers with the ability to engage in collective bargaining activities on economic and safety issues. As with SB 848, the Governor vetoed SB 1213 stating that it was likely preempted by federal law and would only result in litigation.

SB 927 by Senator Alan Lowenthal, (D-Long Beach), would have imposed a small per-container fee at the Ports of Long Beach and Los Angeles to fund infrastructure improvements, security enhancements, congestion relief, and environmental mitigation. We felt this bill, vetoed by the governor, would have improved the quality of life for the drivers and the surrounding community at those two ports.

#### Unemployment Insurance bills vetoed

AB 1884 by Assembly Member Judy Chu, (D-Monterey Park), which was co-sponsored by the Teamsters and the United Food and Commercial Workers' Union (UFCW), would have granted eligibility for Unemployment Insurance benefits to workers who were locked-out by their employers during a trade dispute. This bill would have evened the playing field between employers and employees so that employers could no longer use the fact that our workers are not entitled to unemployment insurance as leverage.

AB 2209 by Assembly Member Fran Pavley, (D-Woodland Hills), also co-sponsored by the Teamsters and the UFCW, would have prohibited an agreement between an employer and an employee preventing the employee from filing a claim for unemployment compensation benefits. The bill also would have imposed a penalty on employers who had been found guilty of fraud or misconduct during a lockout.

The Governor vetoed both bills.

#### Health care reform and Wal-Mart bills—vetoed

The Governor vetoed two bills targeted at large employers, such as Wal-Mart. One, by Senator Carole Migden, would have required employers to spend a specified percentage of their payroll on health insurance benefits and the other, by Senator Richard Alarcon, required economic impact reports prior to construction of a superstore retailer.

The Governor also vetoed Senator Sheila Kuehl's "California Health Insurance System" bill, which would have created a single-payer health care system that provided health insurance coverage to all Californians.

## NOTICE TO MEMBERS

The California Teamsters are represented at the California Legislature and before state administrative agencies by the California Teamsters Public Affairs Council. Barry Broad, Shane Gusman and Liberty Sanchez are the Legislative Representatives and Marsi Newman is the Public Affairs Administrator.

#### Per Capita Tax

All Teamsters affiliated with Joint Councils 7, 38 and 42 support the California Teamsters Public Affairs Council through a per capita tax of 25 cents per member per month, from union dues. Twenty-five percent (25%) of this is set aside in the Political Action Committee from which the Executive Committee makes campaign contributions.

#### Executive Committee

Chuck Mack, president of Joint Council No. 7, is the chairman of the Executive Committee, Jim Santangelo, president of Joint Council No. 42 is treasurer and, John P. Souza, president of Joint Council No. 38 serves as a member of the Executive Committee, which supervises the staff of the Council.

#### Policy Committee

A policy committee of eight members from each Joint Council is responsible for the development of the Council's long-term political, legislative and education policy, screening candidates and making recommendations for endorsement for statewide offices. The Policy Committee members are:

**Joint Council of Teamsters 7:** President Chuck Mack, Franklin Gallegos, Robert Morales, Jack Bookter, Dale Robbins, Michael McLaughlin, Carlos Borba, Ernie Yates.

**Joint Council of Teamsters 38:** President John P. Souza, Rob Pellettieri, Dave Hawley, Darrell Pratt, Sam Rosas, Lucio Reyes, Vic Shada, Jim Tobin.

**Joint Council of Teamsters 42:** President Jim Santangelo, Randy Cammack, John Harren, Shannon Silva, Ray Whitmer, Lynn Swenson, Patrick Kelly, Ron Herrera.

Any questions about the California Teamsters Public Affairs Council may be addressed to the chairman of the Executive Board, California Teamsters Public Affairs Council, 1127 11th St., Ste. 501, Sacramento, CA 95814. Phone: 916-446-0291, FAX: 916-446-9321. E-mail: info@teamsterctpac.org.